

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed December 12, 2007. Upon entry of the amendments in this response, claims 1 – 5, 7 – 18, and 20 – 34 remain pending. In particular, Applicants amend claims 1, 8, 15, 18, and 32 and cancel claims 6 and 23 without prejudice, waiver, or disclaimer. Applicants cancel claims 6 and 23 merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of these canceled claims in a continuing application, if Applicants so choose, and do not intend to dedicate the canceled subject matter to the public. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

I. Objections to the Drawings

The Office Action indicates that the drawings are objected to as failing to comply with 37 CFR 1.121(d) because the current drawings are not clear. Applicants amend the drawings to comply with the Office Action's request. More specifically, Applicants remove shading and improve clarity of the drawings. Applicants submit that no new matter is added.

II. Objections to Declaration

The Office Action argues that the declaration is defective because the declaration allegedly does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor of the subject matter is claimed and for which a patent is sought. Applicants respectfully traverse this allegation. More specifically, the declaration states "I believe that I am the original and sole inventor of the subject matter which is claimed and for which a patent is sought..." (page 1, line 4). Applicants respectfully submit that this fulfills the requirements of 37 C.F.R. §1.63 for at least the reason that the term "original," as defined by www.answers.com, means "preceding all others in time; first"

(Attachment A). Confirming this definition are dictionary.com (Attachment B), yourdictionary.com (Attachment C), thefreedictionary.com (Attachment D), and merriam-webster.com (Attachment E). For at least this reason, the declaration meets all the requirements of 35 C.F.R. §1.63.

III. Rejections Under 35 U.S.C. §102

A. Claim 1 is Allowable Over *Silberschatz*

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Non Patent Literature "Applied Operating System Concepts," ("*Silberschatz*"). Applicants respectfully traverse this rejection on the grounds that *Silberschatz* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 1 recites:

A method for managing shared resources in a computer system, comprising:
establishing and registering a plurality of objects in response to requests from hardware or software associated with the computer system, the objects including at least one type, at least one attribute, and a handle;
establishing a plurality of message pool objects, wherein the plurality of message pool objects comprise pools of free messages that can be allocated;
~~and~~ manipulating the plurality of objects to effect processing and exchange of information;
receiving, at a message pool interface, a request by a first task object interface for a message allocation;
allocating a message from the free message pool to the first task object;
sending the message from the first task object interface to a second task object interface;
performing processing by the second task object in response the message receipt;
returning the message to the first task object interface upon completion of processing; and
returning the message from the first task object interface to the message pool interface.
(emphasis added)

Applicants respectfully submit that the cited art fails to overcome claim 1, as amended, for at least the reason that *Silberschatz* fails to disclose, teach, or suggest a "method for

managing shared resources in a computer system, comprising... ***returning the message to the first task object interface upon completion of processing...*** [and] ***returning the message from the first task object interface to the message pool interface***" as recited in claim 1, as amended. More specifically, *Silberschatz* discloses "NT uses three types of message-passing techniques over a port that the client specifies when it establishes the channel. The simplest, which is used for small messages, uses the port's message queue as intermediate storage and copies the message from one process to the other" (page 111, paragraph 2). Applicants respectfully submit that this is different than claim 1, as amended, for at least the reason that using a message queue as an intermediate storage is different than ***"returning the message to the first task object interface upon completion of processing... [and] returning the message from the first task object interface to the message pool interface"*** as recited in claim 1, as amended.

Additionally, while, in rejecting canceled claim 6, the Office Action states "*Silberschatz* teaches or at least implies returning the message to the first task object upon completion and returning the message from the first task object interface to the message pool interface," Applicants respectfully disagree with this analysis. As illustrated in the passage above, there is not even a suggestion of ***"returning the message to the first task object interface upon completion of processing... [and] returning the message from the first task object interface to the message pool interface"*** as recited in claim 1, as amended. For at least these reasons, claim 1, as amended, is allowable.

B. Claim 18 is Allowable Over *Silberschatz*

The Office Action indicates that claim 18 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Non Patent Literature “Applied Operating System Concepts,” (“*Silberschatz*”). Applicants respectfully traverse this rejection on the grounds that *Silberschatz* does not disclose, teach, or suggest all of the claimed elements. More specifically, claim 18 recites:

A computer-readable medium incorporating one or more instructions for managing shared resources in a computer system, comprising:

one or more instructions for establishing and registering a plurality of objects in response to requests from hardware or software associated with the computer system, the objects including at least one type, at least one attribute, a handle;

one or more instructions for establishing a plurality of message pool objects, wherein the plurality of message pool objects comprise pools of free messages that can be allocated; and

one or more instructions for manipulating the plurality of objects to effect processing and exchange of information;

one or more instructions for receiving, at a message pool interface, a request by a first task object interface for a message allocation;

one or more instructions for allocating a message from the free message pool to the first task object;

one or more instructions for sending the message from the first task object interface to a second task object interface;

one or more instructions for performing processing by the second task object in response to the message receipt;

one or more instructions for returning the message to the first task object interface upon completion of processing; and

one or more instructions for returning the message from the first task object interface to the message pool interface.

(emphasis added)

Applicants respectfully submit that the cited art fails to overcome claim 18, as amended, for at least the reason that *Silberschatz* fails to disclose, teach, or suggest a “computer-readable medium incorporating one or more instructions for managing shared resources in a computer system, comprising... ***one or more instructions for returning the message to the first task object interface upon completion of processing...*** [and] ***one or more instructions for returning the message from the first task object interface to the message pool interface***”

as recited in claim 18, as amended. More specifically, *Silberschatz* discloses “NT uses three types of message-passing techniques over a port that the client specifies when it establishes the channel. The simplest, which is used for small messages, uses the port’s message queue as intermediate storage and copies the message from one process to the other” (page 111, paragraph 2). Applicants respectfully submit that this is different than claim 18, as amended, for at least the reason that using a message queue as an intermediate storage is different than ***“returning the message to the first task object interface upon completion of processing... [and] returning the message from the first task object interface to the message pool interface”*** as recited in claim 18, as amended.

Additionally, while, in rejecting canceled claim 23, the Office Action states “*Silberschatz* teaches or at least implies returning the message to the first task object upon completion and returning the message from the first task object interface to the message pool interface,” Applicants respectfully disagree with this analysis. As illustrated in the passage above, there is not even a suggestion of ***“returning the message to the first task object interface upon completion of processing... [and] returning the message from the first task object interface to the message pool interface”*** as recited in claim 18, as amended. For at least these reasons, claim 18, as amended, is allowable.

C. Claims 2 – 5, 7 – 12, 16 – 17, 19 – 22, 24 – 29, and 33 – 34 are Allowable Over *Silberschatz*

The Office Action indicates that claims 2 – 5, 7 – 12, 16 – 17, 19 – 22, 24 – 29, and 33 – 34 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Non Patent Literature “Applied Operating System Concepts,” (“*Silberschatz*”). Applicants respectfully traverse this rejection on the grounds that *Silberschatz* does not disclose, teach, or suggest all of the claimed elements. More specifically, dependent claims 2 – 5, 7 – 12, and 16 – 17 are believed to be allowable for at least the reason that these claims depend from allowable

independent claim 1. Dependent claims 19 – 22, 24 – 29, and 33 – 34 are believed to be allowable for at least the reason that these claims depend from allowable independent claim 18. *In re Fine, Minnesota Mining and Mfg.Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

III. Rejections Under 35 U.S.C. §103 – Claims 6 and 23 are Allowable Over *Silberschatz*

The Office Action indicates that claims 6 and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Non Patent Literature "Applied Operating System Concepts," ("*Silberschatz*"). Applicants cancel these claims, thus rendering this issue moot.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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Anthony F. Bonner Jr. Reg. No. 55,012

**THOMAS, KAYDEN,
HORSTEMEYER & RISLEY, L.L.P.**
Suite 1750
100 Galleria Parkway N.W.
Atlanta, Georgia 30339
(770) 933-9500